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OFFICE OF PETITIONS

In re Application of
Garahi et al.
Application No. 09/929,030
Filed: August 15, 2001
Attorney Docket No. MESH017

DECISION ON PETITION

This is a decision on the petition under 37 CFR 1.181, filed July 17, 2006, to withdraw the holding of abandonment for the above-identified application.

This application was held abandoned for failure to respond timely to the Notice of Allowance and Fee(s) Due, mailed on March 15, 2006, which set a three-month statutory period for reply. In the apparent absence of a timely filed response, the application was held abandoned on June 16, 2006.

In the petition, the practitioner asserted he did not receive the Notice of Allowance and Fee(s) Due because the USPTO erroneously mailed the Notice to a previous correspondence address. The practitioner stated that a Power of Attorney and Correspondence Address Indication Form was filed with the USPTO on January 27, 2006. Accordingly, the practitioner requested that the Office withdraw the holding of abandonment, re-mail the Notice of Allowance to the new correspondence address, and restart the period for reply.

A review of the record indicates that petitioner filed a Power of Attorney and Correspondence Address Indication Form with the USPTO on January 27, 2006, which was subsequently entered into the record. Unfortunately, the USPTO inexplicably mailed the Notice of Allowance and Fee(s) Due and the Notice of Allowability to the previous correspondence address.

In view of the above, the petition under 37 CFR 1.181 is **GRANTED**. No petition fee is required.

Technology Center Art Unit 2616 has been advised of this decision. The matter is being referred to the Technology Center's technical support staff for mailing of a new Notice of Allowance and Notice of

Allowability. The three (3) month shortened statutory time period for responding to the Notice will be set to run from the mailing date of the new Notice.

Telephone inquiries related to this decision may be directed to the undersigned at (571) 272-3211.

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